REMARKS

The Examiner has rejected a number of claims as being unpatentable for obviousness under 35 U.S.C. 103 over U.S. Patent 6,490,324 issued to McDade in view of U.S. Patent No. 6,496,980 issued to Tillman et al. Tillman is specifically directed at providing replay on demand for streaming digital multimedia and more particular, in those situations (see Figure 1) whereby a number of video sources (18, 20, 22) are coupled to a multimedia access and display device (12) by way of a low bandwidth communications network (14). Referring to Figure 2, at column 7, lines 36 - 49,

> "Referring back to FIG. 2, while **the original video data is being received in a base layer 52 of the video stream**, the data may be stored by client system 44 in the client cache 50. When a request is received by the graphical user interface 48 to provide replay for a selected video segment, server system 32 **sends additional video data for the selected video segment in one or more enhancement layers 54**. The data from the enhancement layers may be added by the client system to the data from the base layer stored in the client cache to produce a higher quality image. FIG. 4 is a diagram illustrating a base layer and an enhancement layer used to provide a higher quality replay image according to an embodiment of the present invention. In this example, a spatial enhancement layer is employed to enlarge the replayed image."

Therefore, Tillman specifically teaches that there are in fact at least **two (2)** video streams required in order to provide the requisite replay on demand, the original video data received in the base layer 52 and at least one enhancement layer(s) 54 that must be an exact replication of the base layer 52 (albeit at a lower resolution in order to by accommodated by the low bandwidth communications path 34). In this way, Tillman requires substantial memory resources (in both the client and server) in order to store the requisite video data when required. In particular, a server cache 38 must be provided as well as a client cache 50. In addition, the "enhancement" provided by Tillman is limited to those that can be accomplished by overlaying the enhancement layer(s) on the base layer and can therefore not include such enhancements as gamma correction, color correction, etc.

In contrast, claim 1 as amended specifically teaches only a single (original) video stream and therefore does not require a second video stream as demanded by Tillman. More specifically, claim 21 recites:

"A method of enhancing a selected digital video frame, or a portion thereof, included in an **original** digital video stream, comprising:
  selecting from the **original** digital video stream, a particular one of the digital video frames for enhancement;
  selecting from the **original** digital video stream, others of the digital video frames associated with the digital video frame to be enhanced; and
  enhancing the selected digital video frame based upon information included in the other digital video frames and the particular digital video frame."
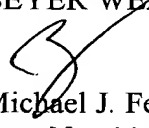
Accordingly, the Applicants believe that claim 21 is patentable over the cited art. Independent claims 28 and 35 recite essentially the same limitations as does claim 21 albeit as computer program product and apparatus embodiments, respectively, and are also believed to be allowable for at least the same reasons as claim 21. All remaining dependent claims depend either directly or indirectly from claims 21, 28, and 35 and are also believed to be allowable.

CONCLUSION

In view of the foregoing, it is respectfully submitted that all pending claims are allowable. Should the Examiner believe that a further telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,

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